

In the United States District Court
For the Middle District of North Carolina



Brian David Hill,
Petitioner/Defendant

v.

United States of America,
Respondent/Plaintiff

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) **Criminal Action No. 1:13-CR-435-1**
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) **Civil Action No. 1:17-CV-1036**
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EMERGENCY
MOTION FOR PERMISSION TO TRAVEL

Criminal Defendant and § 2255 Motion Petitioner Brian David Hill (“Brian D. Hill”, “Hill”, “Brian”, “Defendant”, “Petitioner”) files this Motion to respectfully request permission to travel on December 5, 2019 to stay at a hotel/motel between Brian’s home and the designated Federal prison at FMC Lexington, Kentucky located within the Eastern District of Kentucky.

FMC Lexington is located 397 miles (at maximum) away from home. It can take an estimated 6 hours and 42 min via I-77 N and I-64 W, Fastest route, the usual traffic. That route has tolls. Second route via KY-15 N is 377 miles, and can take an estimated 6 hours and 50 min.

Brian’s grandparents Stella and Kenneth Forinash are elderly, in poor health, and cannot take the night drive super early in the morning on December 6, 2019. Also Brian is reportedly on federal curfew from 8:00PM to 8:00AM as set by U.S. Probation Officer (“USPO”) Jason McMurray, Western District of Virginia, Roanoke division.

Brian's mother Roberta Hill (also his caretaker), his grandma Stella Forinash, and his grandpa Kenneth Forinash plan on driving Brian from home to the hotel/motel for 1-night, and then to the Federal Prison on December 6, 2019 to drop him off and so he can be booked before the time deadline.

Brian is to self-report by high noon (12:00) on December 6, 2019. There is no way possible for Brian to travel from home to FMC Lexington, Kentucky by high noon while complying with the curfew. 6 to 7 hours and that doesn't include restroom visits, fast food, and taking diabetic insulin along the way. It may be impossible for a one day trip to comply with the order to self-report there by high noon.

Brian David Hill needs to be allowed to travel towards Lexington on December 5, 2019, and stay in a hotel/motel for the night, and then be able to report to FMC Lexington on time or earlier than the time to self-report by high noon.

Brian had not yet approached the issue with USPO Jason McMurray.

Brian has brittle type 1 diabetes. Brian's caretaker needs to be with him during his transportation to the Federal Prison. He receives home health care caretaker services as supposed to be paid for by Medicaid.

Brian had decided he'd rather report directly to the Federal Prison because the last time he had been ordered to receive a mental evaluation at FCI-1 Butner by the Western District of Virginia, the U.S. Marshals did not treat Brian well and didn't care about his brittle type 1 diabetes medical condition. The U.S. Marshals forced him against his will with only a T-Shirt, underwear, socks, shoes, and pants in very cold temperatures to walk out on the runway for the smaller airport in West Virginia and had to be out in the cold being frisked while literally shivering and teeth clattering and shaking. Brian was forced to be frisked and stand around for minutes and minutes with consistent cold wind hitting him waiting to get on the

airplane. Brian told one of the U.S. Marshals about his high blood sugar and they told him that they cannot check his blood sugar or give him insulin until he is at the Federal Prison facility in Butner, NC. When he got there around January, 2019, he ended up having a cold and it took days for him to get over being sick. Of course it's obvious that Brian would have a cold when he wasn't given any coats or jackets or even a blanket to keep him warm enough not to get sick which can negatively affect his diabetes and produce blood sugars possibly as high as "HI" not registerable. "HI" is the most dangerous and highest blood sugar level (blood glucose level) that can be registered by a blood glucose monitor/meter. Usually the U.S. Marshals treat diabetics poorly, especially the U.S. Marshals in West Virginia where the DOJ airplane lands at the small airport.

The U.S. Marshals do not understand that Brian David Hill is a type 1 brittle diabetic, and that screwing around with his diabetes may be a death sentence (cruel and unusual punishment inflicted), as it can lead to over-active bladder attacks, nerve pain, inability to think clearly, irritability, kidney damage, eye damage, nerve damage, coma, seizure, or death.

Brian would like to arrange ahead of time that he'd be allowed to start traveling to the Federal Prison a day before December 6, 2019, to ensure that he arrives before high noon to be compliant with the court order on Document #200.

Brian also asks the U.S. Attorney Office to quickly submit a response if they have any objections to this request to travel. Brian will also fax this motion to the U.S. Probation Office in Roanoke, Virginia, who is supervising Brian David Hill, to see if they object to this request with this Honorable Court.

So Brian would like to request that he be allowed to leave the Western District of Virginia on December 5, 2019, his grandpa/grandma or mom can contact USPO

Jason McMurray on what time Brian and his family plans on leaving. Brian's family can again call USPO Jason McMurray at the designated hotel/motel, and then his family can lastly notify USPO McMurray when Brian has been successfully delivered to FMC Lexington. Brian's family can also arrange booking a motel/hotel ahead of time to report the address of the overnight stay for the U.S. Probation Office if necessary.

This request to travel is being filed with the Court so that Brian's bond condition can be modified or that it will keep Brian in compliance with his bond conditions for Brian to leave his district a day earlier to make it to the Federal Prison before the time runs out.

So Brian requests travel from the Western District of Virginia on December 5, 2019, stay overnight at a hotel/motel as close to the Federal Prison as possible or at least within the Eastern District of Kentucky, on December 6, 2019, before the reported deadline, so that Brian complies with his self-reporting requirement.

This Motion was to be filed in case the written judgment under Document #200 is not vacated by a higher court by the time that Brian is to self-report.

Brian will notify the U.S. Probation Office of this Motion, and ask that they quickly file a response thereto as to any objections they may have, and asks the Court to notify the U.S. Probation Office in Roanoke, Virginia and USPO McMurray of any judicial decision that was taken in regards to this motion.

Brian will also fax this motion to the U.S. Attorney Office to determine if they can quickly file a response as to whether they oppose this motion or not, this is considering Brian David Hill's brittle type 1 diabetes and the U.S. Marshals taking very poor care of prisoners' health during transport by airplane. Considering his brittle health conditions and that Brian shouldn't be subject to fast winds and cold

temperatures hitting Brian while awaiting to get on an airplane without any winter-weather clothing (A T-Shirt, socks, shoes, pants and underwear will not be enough to shield Brian from very cold temperatures). Brian had witnessed how badly federal prisoners were treated in January 2019, like they could care less that cold air during the winter time and colder temperatures was the outdoor environment while prisoners stand around waiting to board a DOJ aircraft to transport prisoners. That itself is deadly to Brian's health, deadly to his type 1 brittle diabetes, could cause him to go into coma or seizure during transport, and possibly death.

Therefore for the foregoing reasons above, Brian humbly requests that this request to travel be granted for Brian to self-report directly to the Federal Prison, instead of to the USMS in Greensboro, NC, as they will transport him through an airplane and Brian will more than likely be under the same terrible conditions that he was under in January, 2019, in his transport to Butner Federal Prison. Brian's health is important, as is his right to be protected from cruel and unusual punishments (8th Amendment, U.S. Constitution).

It should also be noted that Brian was served a Federal Detainer in November, 2018, while he was at the Martinsville City Jail. So Brian had served federal time from November, 2018, to May, 2019 (possibly 6 or 7 months). Brian can fax the Federal Detainer to the court upon request, or can also fax the Federal Detainer of last year to his Probation Officer upon request. So whatever prison time he has to serve, Brian respectfully requests that he be allowed to travel to the Federal Prison a day before the deadline to self-report. Thank You, God Bless America.

Respectfully filed with the Court, this the 23th day of November, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

I ask Qanon and Donald John Trump for Assistance (S.O.S.)

Make America Great Again

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that "The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

CERTIFICATE OF SERVICE

Petitioner/Defendant hereby certifies that on November 23, 2019, service was made by mailing the original of the foregoing:

“NOTICE OF WRIT OF MANDAMUS”

by deposit in the United States Post Office, in an envelope (Certified Mail), Postage prepaid, on November 23, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Greensboro, NC 27401.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
JOHN M. ALSUP U.S. Attorney Office 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 john.alsup@usdoj.gov	

This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p><u>November 23, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u></p> <p><i>Signed</i> Signed</p> <p>Brian D. Hill (Pro Se)</p> <p>310 Forest Street, Apartment 1</p> <p>Martinsville, Virginia 24112</p> <p>Phone #: (276) 790-3505</p> <p>U.S.W.G.O.</p> <p>I stand with QANON/Donald-Trump – Drain the Swamp</p> <p>I ask Qanon and Donald John Trump for Assistance (S.O.S.)</p> <p>Make America Great Again</p>
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I ask Department of Defense ("DOD") military Constitutional oath keepers,
alliance, Qanon for help in protecting me from corruption and criminal behavior of
Government.

Certified Mail tracking no: 7019-1120-0001-4751-4702

Friend's justice site: JusticeForUSWGO.wordpress.com